

UNITED STATES DISTRICT COURT
for the
WESTERN District of TEXAS

FILED
November 18, 2020
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

United States of America) BY: _____
v.)
) Case No. SA-20-MJ-1415
Emmanuel Valdovinos)
)
)
)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 29, 2019 in the county of Bexar in the
Western District of Texas, the defendant(s) violated:

Code Section

Offense Description

8 USC 1324(a)(1)(A)(ii) & (v)
(I) Conspiracy to Transport Illegal Aliens, Transportation of Illegal Aliens for Financial Gain.

PENALTIES: Up to 10 Years Imprisonment, \$250,000 Fine, 3 years Supervised Release, \$5-100 Mandatory Special Assessment.

This criminal complaint is based on these facts:

See attached affidavit

Continued on the attached sheet.

JONATHAN D MORGAN SR Digitally signed by JONATHAN D MORGAN SR
Date: 2020.11.17 12:23:21 -06'00'

Complainant's signature

HSI S/A Jonathan Morgan

Printed name and title

Sworn to before me and signed in my presence.
 Sworn to telephonically and signed electronically.

Date: November 18, 2020 at 1:16pm

Ely Sch
Judge's signature

City and state: San Antonio, Texas

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

Being duly sworn, I declare that the following is true and correct to the best of my knowledge.

1. I, Jonathan Morgan, your Affiant, am a Special Agent (S/A) with the United States Department of Homeland Security, Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI), and have been so employed for approximately 18 years. I am empowered by the United States Attorney General or his successor, the Secretary for Homeland Security [Title 6, United States Code, Section 202 (3), (4), and 557], to perform duties as provided by law and regulation and to conduct investigations of offenses against the United States.
2. ATF and HSI are investigating a San Antonio-based alien smuggling organization. Agents have identified approximately 30 individuals in the Western and Southern Districts of Texas who are suspected of being involved in illegal alien smuggling, firearms trafficking, drug trafficking, money laundering, arson, extortion, straw purchasing of firearms, conspiracy to straw purchase firearms, unlawful possession of firearms by prohibited persons, possession of machine guns, and possession of destructive devices. Agents have identified Emmanuel VALDOVINOS as a person who conspired with others to smuggle aliens, distribute controlled substances, possess machineguns, engage in money laundering, and conspired with others to commit violent acts on behalf of the organization.
3. During this investigation, agents have discovered that the leader of the criminal organization, co-conspirator #1 (CC#1), was in direct contact with elements of the network in Mexico and would receive word when a group of undocumented aliens (UDAs) was being smuggled in to the U.S. from Mexico at or near Eagle Pass, Texas or at or near Carrizo Springs, Texas. The leader would relay GPS coordinates from the foot guides to mid-level managers within his organization who would, in turn, relay the coordinates to load drivers that they personally recruited or with whom they otherwise had contact. The load driver would deliver the UDAs to established stash houses located in or near San Antonio, Texas.
4. On October 29, 2019, your Affiant and ATF S/A Eric Watkins interviewed an anonymous source of information (ASI) via telephone regarding the criminal organization. During the interview with ASI, he/she stated a subject known only as "MANNY," the ASI, and other identified individuals worked together in a "group." The ASI stated that MANNY was the second in command, and the ASI provided MANNY's telephone number. Agents researched the phone number and found it associated with an individual with the last name of VALDOVINOS, who has a relative named Emmanuel VALDOVINOS.

5. On November 15, 2019, your Affiant identified MANNY by searching for “Manny” in the telephone content information forensically obtained via federal search warrant from a co-conspirator’s seized cellphone. Your Affiant discovered MANNY’s publicly available Facebook page and compared photographs of Emmanuel VALDOVINOS to that of MANNY posted on Facebook and found them to be the same person.
6. On December 6, 2019, Facebook, Inc. returned records for two Facebook accounts used by CC#1 (“Chavalon Chavalon” and “Hector Picazo”), which were obtained via federal search warrant. Those records contained text messages, photographs, videos, and audio files sent via Facebook Messenger from CC#1. Your Affiant and ATF S/A Watkins discovered approximately 1,000 text messages sent via Facebook Messenger between CC#1 (using account “Hector Picazo”) and VALDOVINOS between June 26, 2019 and October 26, 2019.
7. On August 14, 2019, CC#1 and VALDOVINOS initiated a communication documenting the pair conspiring to smuggle UDAs from Mexico into the United States. CC#1 sent VALDOVINOS GPS coordinates pinpointing a location off FM 481 in Maverick County, Texas. VALDOVINOS indicated he had the driver ready and sent CC#1 a picture of a 4-door sedan to be driven by an unknown female. A couple of hours later, VALDOVINOS advised CC#1 the driver was on her way and asked CC#1 to have the air conditioner turned on at the stash house.
8. On September 25, 2019, CC#1 and VALDOVINOS engaged in a communication revolving around the smuggling of UDAs. CC#1 asked VALDOVINOS if he had heard from the driver. VALDOVINOS advised CC#1 that he had heard from the driver’s girlfriend who informed him that the driver was arrested by agents of the Border Patrol. Agents have corroborated that this driver was arrested in Maverick County on September 25, 2019 by Border Patrol after a failed attempt to smuggle seven UDAs to San Antonio.
9. On October 9, 2019, CC#1 and VALDOVINOS engaged in a communication revolving around the smuggling of UDAs. VALDOVINOS left for Uvalde and sent a video to CC#1 captured in VALDOVINOS’ car with multiple water bottles in the vehicle for the UDAs he was to transport back to San Antonio. VALDOVINOS’ voice can be heard as he sang about picking up “sheep.” As events unfolded, CC#1 advised VALDOVINOS that the UDAs were intercepted (presumably by law enforcement).
10. In February 2020, you Affiant interviewed cooperating defendant #1 (CD#1), who stated that he/she and another were recruited by VALDOVINOS to drive eight UDAs from Maverick County, Texas to San Antonio. In September 2019, CC#2 and his/her partner were apprehended by U.S. Border Patrol as they attempted to return to San Antonio with the UDAs.
11. In March, 2020, your Affiant interviewed cooperating defendant #2 (CD#2) who stated that he/she was recruited to transport UDAs by VALDOVINOS. CD#2 explained how he/she received coordinates from VALDOVINOS directing him/her where to pick up

UDAs and that he/she was paid for his/her efforts. CD#2 successfully smuggled multiple UDAs to San Antonio for the organization prior to his arrest in September 2019.

12. On June 10, 2020, agents conducted an interview with a cooperating senior member of the organization (CD#3). CD#3 stated that VALDOVINOS recruited and coordinated alien smuggling drivers/operations for the organization. Additionally, CD#3 stated VALDOVINOS initially recruited him/her into the organization as an alien smuggling driver.
13. On September 1, 2020, Your Affiant and S/A Watkins conducted an audio recorded interview with VALDOVINOS. During the interview, VALDOVINOS admitted to conspiring with others in the organization to smuggle aliens. VALDOVINOS stated that he received \$150-\$200 per person that he helped smuggle into the United States. VALDOVINOS stated that the average load of smuggled aliens was 4-6 people at a time, but he was unsure of the number of loads per week during the investigative timeframe.

Based on the above facts, your affiant believes there is probable cause that Emmanuel VALDOVINOS, a/k/a, "MANNY," conspired with others to transport undocumented aliens in the United States, in violation of Title 8 U.S.C. 1324(a)(1)(A)(ii) & (v)(I).

JONATHAN D
MORGAN SR

Digitally signed by JONATHAN D
MORGAN SR
Date: 2020.11.17 12:24:43 -06'00'

Jonathan Morgan
Special Agent
Homeland Security Investigations

SUBSCRIBED AND SWORN TO ME THIS 18TH DAY OF NOVEMBER 2020.


HONORABLE ELIZABETH S. CHESTNEY
UNITED STATES MAGISTRATE JUDGE